



DATE: September 11, 2019

TO: Mayor Boudreau and City Council

FROM: Rebecca Lowell

SUBJECT: Emergency Adoption of Interim Regulations to allow Limited Temporary Homeless Encampments (i.e. Safe Parking)

RECOMMENDED ACTION:

Council adoption of the accompanying Ordinance that declares an emergency and adopts interim regulations to allow limited temporary homeless encampments.

INTRODUCTION/BACKGROUND:

Staff presented the proposed interim regulations to Council on August 28, 2019. At that time Council listened to public testimony, asked questions of staff, and requested this item be brought back this evening.

Please recall that the City has existing regulations that allow permanent homeless shelters, emergency shelters, and temporary homeless encampments.

However, the City does not have regulations that would permit the homeless to park overnight in a vehicle at a facility. Programs that allow this type of use are generally referred to as Safe Parking. City Council asked staff to research safe parking programs after a community member expressed interest in creating such a program at her church.

FINDINGS/CONCLUSIONS:

The accompanying Ordinance declares an emergency and adopts interim regulations to allow the homeless to sleep in vehicles at properties owned by religious organizations.

As required by law, if the attached Ordinance is adopted by Council tonight, a public hearing will be held in the next 60-days.

RECOMMENDATION:

Council declare an emergency and adopt the accompanying interim ordinance.

ATTACHED:

Proposed Ordinance for Council's consideration

Public Comment Letters Received To-Date

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, DECLARING
AN EMERGENCY AND ADOPTION OF INTERIM CONTROL REGULATIONS FOR
TRANSITORY ACCOMMODATIONS**

WHEREAS, people are considered homeless when they do not have accommodation that is safe, secure, and appropriate; and

WHEREAS, “Sheltered” homeless are those persons that are accommodated in emergency shelters, with family or friends, or in other transitory housing. The “unsheltered” homeless are those who have yet to be accommodated by such housing and are living on the streets, in vehicles, impromptu encampments on private or public property or otherwise do not have shelter; and

WHEREAS, homelessness occurs in a variety of ways and result in different needs. For example, some people may become suddenly homeless requiring short term crisis accommodation while others may be chronically homeless; and

WHEREAS, the current crisis of homelessness is impacted by a broad number of societal challenges including but not limited to, growth in poverty, mental health, substance abuse, erosion of foster care, federal and state investment in criminal justice and other safety net systems, which have a cumulative and compounding effect resulting in an alarming trend in homeless population statewide and in our local community; and

WHEREAS, recent data presented by Community Action of Skagit County’s Housing Resource Center shows that those defined as chronically homeless and those at imminent risk of losing housing in Skagit County are on the rise. This county-wide trend is of concern to the City because Mount Vernon has the greatest number of residents of any incorporated city or town in Skagit County; and

WHEREAS, the City of Mount Vernon’s specific role and the role of government in general to address, mitigate or reduce homelessness is limited by constitutional, statutory, and budgetary constraints. Nonetheless, the City finds a response is required to address the public health and safety impacts to the community; and

WHEREAS, the current crisis requires the response of not just government but of the entire community; and

WHEREAS, the City of Mount Vernon is dedicated to reducing homelessness while also recognizing the government’s role in protecting the public health and safety for the community including both those persons with and without homes; and

WHEREAS, the City also recognizes that the ultimate goal beyond providing both shelter and services to the homeless is to transition homeless persons to permanent housing and the provision of personal development to allow persons to ultimately meet their needs without or reduced assistance. Case management is a key factor to achieving this goal; and

WHEREAS, the City recognizes the need to improve the safety and health of people experiencing homelessness that reside in vehicles; and

WHEREAS, the City of Mount Vernon finds that while current city regulations address transitory accommodations such as tent encampments and mitigate their health and safety impacts that such regulations do not account that smaller encampments or less intensive uses may warrant different less onerous substantive criteria and procedural safeguards; and

WHEREAS, the City of Mount Vernon is organized as a code city granting to it all the powers of home rule and those afforded by the State. In addition, RCW 35A.21.360 explicitly allows cities to impose conditions to such encampments when necessary to protect the public health and safety so long as such conditions do not substantially burden the decisions or actions of a religious organization regarding location of housing or shelter for homeless persons on property owned by the religious organization; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390, as well as interpretative judicial decisions, authorize adoption of interim zoning controls and regulations with certain limitations, including the requirement to hold a public hearing on the adopted interim zoning controls/regulations within 60 days of its adoption, and the adoption of findings of facts and, if appropriate, a work plan; and

WHEREAS, in accordance with RCW 35A.63.220, interim zoning controls may be effective for no longer than six months, but may be effective for up to a year if a work plan is developed for related studies providing for such a longer period, and

WHEREAS, there is an urgent need, pending completion of and the adoption of permanent zoning and regulatory ordinances relating to temporary homeless encampments, to adopt interim regulatory ordinances regarding such land uses to address the impacts to public health and safety; and

WHEREAS, staff has prepared a draft interim ordinance that impose conditions to address impacts to public health and safety as a result of such homeless encampments; and

WHEREAS, the City Council finds the interim ordinance: i) is necessary to protect the public health and safety and ii) that conditions herein do not substantially burden the decisions or actions of a religious organization regarding location of housing or shelter for homeless persons on property owned by the religious organization; and

WHEREAS, the City Council shall hold a public hearing within 60 days at a regularly held meeting of the City Council on this Ordinance to consider public testimony regarding adoption of this Ordinance and adopt findings of fact justifying its action in the event such findings are not adopted prior to the hearing; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Recitals Incorporated. That the City Council adopts the recitals set forth above as findings justifying adoption of this Ordinance and incorporates those recitals as if set forth fully herein. The Council may adopt additional findings in the event that additional public hearings are held or evidence presented to the City Council.

SECTION 2. Chapter 17.210, Temporary Homeless Encampments, of the Mount Vernon Municipal Code is hereby amended as follows:

Temporary Homeless Encampments

Sections:

- 17.210.010 Purpose.
- 17.210.015 Definitions
- 17.210.020 Application for temporary homeless encampment permit.
- 17.210.030 Requirements for approval and operation.
- 17.210.040 Hardship exception
- 17.210.050 Decision criteria
- 17.210.060 Revocation of permit.

17.210.070 Limited temporary homeless encampments

New regulations are identified in red and are underlined. Other text is existing, previously adopted code.

17.210.010 Purpose.

The purpose of this chapter is to regulate homeless encampments within the city of Mount Vernon in compliance with the requirements of RCW 35.21.915. The standards and requirements in this chapter are the minimum necessary to protect the public health and safety and do not substantially burden the decisions or actions of religious organizations regarding the location of housing or shelter for homeless persons on property owned by such religious organizations.

17.210.015 Definitions. The following words used in this Chapter are defined as follows:

- A. **“Director”** means the Director of the City of Mount Vernon’s Development Services Department or Designee.
- B. **“Encampment host”** means a religious organization (including but not limited to an owner, tenant, or lessee) that has the legal right to occupy the site of a temporary homeless encampment. An “encampment host” may be the same individual, group, organization, or entity as the encampment sponsor or the encampment manager of a temporary homeless encampment.
- C. **“Encampment manager”** means an individual, group, organization, or entity that organizes, manages or operates a temporary homeless encampment. An “encampment manager” may be the same individual, group, organization, or entity as the encampment host or the encampment sponsor of a temporary homeless encampment.
- D. **“Encampment sponsor”** means an individual, group, organization, or entity which, in conjunction or by agreement with the encampment host or encampment manager, provides services or support on an ongoing basis for the residents of a temporary homeless encampment. An “encampment sponsor” may be the same individual, group, organization, or entity as the encampment host or the encampment manager of a temporary homeless encampment.
- E. **“Temporary homeless encampment”** means a temporary encampment for homeless persons on property owned or controlled by a religious organization, whether within buildings located on

the property or elsewhere on the property outside of buildings **including but not limited to Limited Temporary Homeless Encampment.**

F. “Limited temporary homeless encampment” means a temporary homeless encampment for a facility or site limited to accommodating no more than five vehicles, housing not more than a total of twelve individuals parking in designated areas to provide overnight shelter.

17.210.020 Application for temporary homeless encampment permit.

A. A temporary homeless encampment is an allowed use only on property owned or controlled by a religious organization that is acting as either the encampment host or the encampment sponsor, or both, for the temporary homeless encampment.

B. Temporary homeless encampments shall not be permitted within the city except as an accommodation of religious exercise by an encampment host or encampment sponsor. Unless the use is a limited temporary homeless encampment, each encampment host, encampment manager and encampment sponsor of a temporary homeless encampment shall jointly apply for a permit under this chapter, and shall jointly certify compliance with all applicable use requirements and conditions of this part in the application. Each encampment host, encampment manager and encampment sponsor shall comply with the standards set forth in MVMC 17.210.070 for limited homeless encampments. MVMC 17.210.020 C through MVMC 17.210.020 I, and MVMC 17.210.030 shall not apply to property owned or controlled by a religious organization when used as a limited temporary homeless encampment.

C. An application for a temporary homeless encampment permit shall be submitted to the director or designee on a form approved by the director. The application shall contain an encampment management responsibility plan. An application that does not contain an encampment management responsibility plan shall not be considered complete. The encampment management responsibility plan shall contain, at a minimum, all of the following information:

1. The name, address, and telephone number of the encampment host, and the telephone number and email address for a designated representative of the encampment host; and
2. The name, address, and telephone number of the encampment sponsor and encampment manager, and the telephone number and email address for a designated representative of the encampment sponsor and encampment manager; and
3. The proposed location of the temporary homeless encampment and information as to whether the temporary homeless encampment will be located inside a building or outside a building on property owned or controlled by the encampment host; and
4. The date on which the temporary homeless encampment is proposed to move onto the proposed location and the date on which the temporary homeless encampment is proposed to vacate the proposed location; and
5. The maximum number of residents proposed; and
6. A site plan showing the proposed location of the facilities required by MVMC [17.210.030](#); and

7. A statement demonstrating how the temporary homeless encampment will meet the requirements of MVMC [17.210.030](#); and
8. A description of the security measures that the encampment host, encampment sponsor and encampment manager intend to employ at the proposed location, including criteria for rejection as a resident, a code of conduct, neighborhood security patrols, if any, whether and how they will implement outstanding warrant or registered sex offender background checks, and whether and how any temporary homeless encampment residents or prospective residents may be ejected from the temporary homeless encampment based on the results of such checks; and
9. A transportation plan demonstrating compliance with MVMC [17.210.030](#).

D. The application for a temporary homeless encampment permit must be accompanied by an application fee set forth in Chapter 14.15 MVMC.

E. An application for a temporary homeless encampment permit must be filed at least 30 days before the date on which the temporary homeless encampment is proposed to move onto the proposed location; provided, that the Director may agree to a shorter period in the case of an emergency beyond the control of the encampment host and encampment sponsor.

F. An application for a temporary homeless encampment permit shall be processed as a Type II temporary homeless encampment permit under Chapter 14.05 MVMC subject to administrative appeal and final administrative decision by the City Hearings Examiner.

G. In addition to the requirements for a Type II permit under Chapter [14.05](#) MVMC, the following additional and amended procedures apply:

1. **Public Meeting Required.** The encampment host, manager and sponsor shall hold an informational public meeting that will be attended by the director. The public meeting shall be held as early in the review process as possible for the application. Notice of the public meeting shall be mailed to those property owners identified within subsection (G)(2) of this section. The public meeting notice will be combined with the notice of application whenever possible. Prior to the public meeting, the encampment host shall meet and confer with the Mount Vernon police department regarding the proposed security measures. At the public meeting, a representative of the encampment host shall present in writing and describe the proposed encampment management responsibility plan, and any input or comment received on the plan, including any comment or input from the Mount Vernon police department, or comment or input from schools and/or child care services under subsection (G)(2) of this section. The public meeting shall be attended by all applicants of the proposed temporary homeless encampment permit.
2. **Additional Mailed Notice.** The requirements for mailed notice of the application set forth for Type II permits under Chapter [14.05](#) MVMC shall be expanded to include owners of real property within 600 feet of the project site. Prior to the decision of the director on a temporary homeless encampment permit, the encampment host, encampment sponsor, or encampment manager shall meet and confer with the administration of any public or private elementary, middle, junior high or high school within 600 feet of the boundaries of the proposed temporary homeless encampment site, and shall meet and confer with the operators of any known child care service within 600 feet of the boundaries of the

proposed temporary homeless encampment site. The encampment host and the school administration and/or child care service operator shall make a good faith effort to agree upon any additional conditions that may be appropriate or necessary to address school and/or child care concerns regarding the location of a temporary homeless encampment within 600 feet of such a facility. Any such conditions agreed upon between the parties shall be submitted to the director for consideration for inclusion within the temporary homeless encampment permit. In the event the parties fail to agree on any conditions, either party may provide the director with a written summary of the parties' discussions, which the director may consider in evaluating whether the criteria for the temporary homeless encampment permit are met, or the need for additional conditions upon the temporary homeless encampment permit based on the applicable decision criteria.

3. The applicant shall provide notice of the application by posting two land use change signs on the site or in a location immediately adjacent to the site that provides visibility to motorists using adjacent streets. The director shall establish standards for timing of installation and removal of the signs and the public meeting notice.

H. The Director shall coordinate review of the temporary homeless encampment permit with appropriate city staff and with other appropriate public agencies, including, but not limited to, Skagit County Public Health Department and the Mount Vernon Fire Department. The Director may issue the temporary homeless encampment permit if the application demonstrates that:

1. All of the requirements of MVMC 17.210.030 are met; and
2. The temporary homeless encampment will not be materially injurious to the public health, safety, and welfare or materially injurious to the property or improvements in the immediate vicinity.

I. Decisions of the Director granting, granting with conditions, or denying a temporary homeless encampment permit shall be subject to one open record administrative appeal to the Hearing Examiner who shall render a final administrative determination. The Hearing Examiner's decision shall be subject to appeal to the Skagit County Superior Court as provided in Chapter 36.70 RCW. In the event of any conflict with any other provisions of the Mount Vernon Municipal Code, this provision shall control notwithstanding MVMC 14.05.020.

17.210.030 Requirements for approval and operation.

A. A temporary homeless encampment must meet all of the following requirements in addition to any other requirements imposed by this chapter:

1. The property or building must be of sufficient size to accommodate the proposed number of tents and residents and the on-site facilities required by this section.
2. Adequate provision must be made for the provision of drinking water, disposal of human waste, disposal of garbage and other solid waste, and the provision of other services, including, but not limited to, the following facilities:
 - a. Sanitary portable toilets or other restroom facilities in the number required to meet health regulations for the residents and staff of the temporary homeless encampment; and
 - b. Hand washing stations by the toilets or restrooms and by food service areas; and

- c. Refuse receptacles meeting the requirements of the city's solid waste division; and
 - d. A food service tent or other food service building or facility meeting health department requirements; and
 - e. A management tent or other management office or facility providing administrative and security services and readily identifiable to residents and visitors. Through the permit process a ratio of encampment staff to residents shall be established by the city. This ratio shall ensure the health and safety of the staff, residents, and surrounding neighbors.
3. Outdoor temporary homeless encampments shall meet all setbacks for the zoning district in which the property is located; provided, that where the temporary homeless encampment abuts property containing residential uses, the temporary homeless encampment shall be set back 20 feet from the property line or the minimum setback provided in the Mount Vernon Municipal Code, whichever is greater.
 4. Outdoor temporary homeless encampments shall have a six-foot-tall sight obscuring fence provided around the perimeter of the temporary homeless encampment unless the director determines that there is sufficient vegetation, topographic variation, or other site conditions to provide equivalent screening of the use from adjacent properties.
 5. Any and all exterior lighting for outdoor temporary homeless encampments shall be directed downward and away from adjacent properties to minimize light impacts.
 6. The maximum number of residents within a temporary homeless encampment shall not exceed 100.
 7. Parking for at a minimum five vehicles shall be provided and otherwise comply with Chapter [17.84](#) MVMC.
 8. No children under the age of 18 shall be allowed in the temporary homeless encampment. If a child under the age of 18 attempts to reside at the temporary homeless encampment, the encampment sponsor, the encampment host, or the encampment manager shall immediately contact child protective services.
 9. No animals shall be permitted in the temporary homeless encampment, except for service animals.
 10. The encampment sponsor and/or the encampment host shall submit a code of conduct for the temporary homeless encampment and a statement describing how the code of conduct will be enforced. The code of conduct shall, at a minimum, contain the following:
 - a. A prohibition on the possession or use of illegal drugs or alcohol.
 - b. A prohibition on the possession of guns, knives with blades in excess of three inches, and weapons of all kinds.
 - c. A prohibition on violence.
 - d. A prohibition on open flames.
 - e. A prohibition on trespassing into private property in the surrounding neighborhood.
 - f. Hours during which quiet is to be observed.
 11. A transportation plan must be submitted providing for access to transit. All temporary homeless encampments must be located within one-half mile of transit service. This measurement shall be taken in a straight line from the closest property line where the

temporary homeless encampment is proposed to the existing transit service provided by Skagit Transit. During hours when public transportation is not available, the encampment sponsor, encampment host, or encampment manager shall also make transportation available to anyone who is rejected from or ordered to leave the temporary homeless encampment.

12. The temporary homeless encampment must comply with all regulations of Washington State, the city of Mount Vernon, and the Skagit County public health department. The temporary homeless encampment shall comply with the requirements of the International Fire Code and Washington Cities Electrical Code as adopted by the city of Mount Vernon. The encampment sponsor and encampment host shall permit inspections at all reasonable times by appropriate public officials from the agencies enforcing these codes for code compliance.
13. The encampment sponsor shall take all reasonable and legal steps to obtain verifiable identification from prospective residents of the temporary homeless encampments and use the identification to obtain sex offender and warrant checks from the appropriate agency. If the warrant and sex offender check reveals that a prospective resident or existing resident is a sex offender who is required to register with police or that the prospective resident has an outstanding warrant, the encampment sponsor shall reject the prospective resident or evict the existing resident.
14. Adequate access for fire and emergency medical apparatus shall be provided.
15. Adequate separation between tents and other structures shall be to limit fire exposure and provide for emergency exiting by residents.
16. Temporary homeless encampment permits may be approved only once over a one-year period for no more than 120 consecutive days. These time limits shall apply to property where a temporary homeless encampment is permitted regardless of whether or not an encampment manager or sponsor is different. For example, if a temporary homeless encampment permit was issued on December 1st of a given year for a 120-day period the site upon which the permit was issued could not host another temporary homeless encampment until December 1st of the following year.

17.210.040 Hardship exception

An encampment host, encampment sponsor, or encampment manager may petition the Director for an exception from any of the specific use requirements of MVMC 17.210.030, **standards set forth in MVMC 17.210.070**, or other condition **imposed by this chapter or by the Director** upon grounds of hardship. In considering whether a hardship exception should be granted, the Director may consider whether the provision or provisions at issue substantially burden the siting or hosting of a temporary homeless encampment at a particular location or by a particular encampment host, encampment sponsor, or encampment manager, the effects on health and safety of residents and the community should the exception be granted, and whether a less restrictive, alternative means to achieve the health and safety objectives is proposed and/or is reasonably available.

17.210.050 Decision criteria.

The director may approve, or approve with modifications, an application for a temporary encampment permit or request for hardship exemption for a limited temporary homeless encampment if:

- A. The temporary homeless encampment complies with the use requirements set out in MVMC 17.210.030 if applicable and other applicable requirements of this chapter unless an exception has been granted pursuant to MVMC 17.210.040; and
- B. The temporary homeless encampment will not be materially detrimental to the public health, safety or welfare of the temporary homeless encampment residents or the surrounding community; and
- C. The imposition of a condition under which the city reserves the right to impose additional conditions or to reconsider the temporary homeless encampment permit within a certain time frame from approval date, based on substantiated complaints filed with the city.

17.210.060 Revocation of permit.

The director may revoke a temporary homeless encampment permit or deny request for a hardship exemption for a limited temporary homeless encampment for violation of any of the requirements of this chapter. A decision of the director to revoke a temporary homeless encampment permit or deny request for a hardship exemption for a limited temporary homeless encampment is a Type II decision processed in the same manner as a Type II temporary homeless encampment permit decision that may be appealed to the hearing examiner for final determination provided in Chapter 14.05 MVMC. The decision of the director to revoke a temporary homeless encampment permit shall be stayed during any appeal to the hearing examiner, but the stay will be lifted if the hearing examiner upholds the revocation. Decisions of the hearing examiner on a temporary homeless encampment permit revocation or denial of a request for a hardship exemption may be appealed to the Skagit County superior court as provided in Chapter 36.70RCW.

17.210.070 Limited temporary homeless encampments.

- A. Purpose. The purpose of this section is to provide homeless individuals with vehicles a place to temporarily park overnight to assist in transitions to permanent housing.
- B. There is no fee for a limited temporary homeless encampment when the use complies with the conditions set forth in this section. Limited temporary homeless encampment is allowed outright when the following conditions are met:
 - 1. The Encampment Host, Manager or Sponsor registers the limited temporary encampment with the City as required in Subsection C.
 - 2. Vehicles that individuals park and sleep within as means of shelter are limited to five passenger cars and/or passenger trucks. Recreational and commercial vehicles as defined in MVMC 10.20.020, shall not qualify as vehicles for the purposes of a Limited Temporary Homeless Encampment.
 - 3. Vehicles that individuals park and sleep within as means of shelter shall be registered by the Encampment Host, Manager, or Sponsor with the creation and maintenance of a roster that includes the names of the persons associated with the vehicle, the vehicle make, model, year and license number (“registered

****REMINDER****
New regulations are identified in red and are underlined. Other text is existing, previously adopted code.

- vehicle”). Each registered vehicle shall possess and prominently display a placard in the windshield. The placard shall clearly identify the vehicle as registered and permitted by the religious organization for overnight shelter.
4. The limited temporary homeless encampment is located on the property that a religious organization has the right to occupy as an owner, tenant, or lessee.
 5. The limited temporary homeless encampment is located on the same site in which the religious organization has a permanent, fixed structure in use by the religious organization.
 6. The limited homeless encampment is located on a paved surface intended for vehicle parking that is regularly maintained for removal of dust and debris.
 7. Vehicles that individuals park and sleep within as means of shelter shall:
 - a. Be parked next to each other
 - b. Be placed such that they are not visible from surrounding public roads, to the extent possible
 - c. Be at least 50 feet from abutting properties used for residential purposes absent a hardship exception pursuant to MVMC 17.210.040
 8. Outdoor restrooms facilities shall be installed, maintained and must be accessible during hours vehicles are allowed to remain. Access to a hand washing station and trash facilities shall be provided on the property during hours vehicles are allowed to remain. To the extent possible, these facilities shall be placed such as they are not visible from surrounding public roads.
 9. No children under 18 shall be allowed to stay overnight in the encampment unless accompanied by a parent or guardian or unless the Encampment Host, Manager, or Sponsor has proof of the minor's legal emancipation. If an unemancipated child under the age of 18 without a parent or guardian present attempts to stay at the encampment, the Encampment Host, Manager, or Sponsor shall immediately contact child protective services and shall actively endeavor to find alternative shelter for the child.
 10. Registered vehicles shall be allowed on the property between 6:00 p.m. and 8:00 a.m. daily. All registered vehicles shall remain off the property outside these hours unless otherwise engaging in religious services or activities.
 11. The Encampment Host shall create and implement a Neighborhood Relations plan. The City shall be entitled to post the plan on its website and otherwise make the plan available to the general public. The plan shall include the following:
 - a. Identification of two individual responsible to ensure the limited temporary homeless encampment complies with all Mount Vernon ordinances and other state laws and regulations. The individuals shall be responsible for receiving, responding, and resolving all complaints about the limited temporary homeless encampment.
 - b. At a minimum, the telephone number(s) of the individuals responsible for the limited temporary homeless encampment that members of the public may call to receive complaints.
 - c. Dates that the limited temporary homeless encampment shall be located on a property.

This entire section was added to this Ordinance after the Council's August 28, 2019 meeting.

- d. A site plan that shows the location of trash, restroom facilities, exterior light fixtures, location and distances to residential properties, and location of designated overnight parking spaces.
 - e. The code of conduct required in the section.
- 12. The identified individuals responsible for the limited temporary homeless encampment shall immediately respond to complaints. The Encampment Host shall log all complaints received, how it was resolved and provide a copy to the City upon request.
- 13. An on-call monitor must be provided. The on-call monitor shall:
 - a. Be physically present at the site at 6:00 p.m. to observe the arrival of registered vehicles.
 - b. Document that only registered vehicles and allowed occupants are on the property.
 - c. Be able to be physically present on the property within thirty minutes of a request during any time the property is occupied by registered vehicles.
 - d. Ensure compliance with all the requirements set forth in this Chapter.
 - e. Within 24 hours of receiving a complaint or request for corrective action, the on-site monitor shall use his or her best efforts to remedy the complaint.
- 14. The Encampment Host shall provide and enforce within said temporary limited encampment a written code of conduct that provides for the health, safety, and welfare of the limited temporary homeless encampment residents, and mitigates impacts to neighbors and the community. The code of conduct shall, at a minimum, prohibit:
 - a. Possession or use of firearms, alcohol and/or illegal drugs.
 - b. Violence.
 - c. Open flames either inside or outside vehicles.
 - d. Trespassing on private property in the surrounding neighborhood.
 - e. Littering in the limited temporary homeless encampment site or the surrounding neighborhood.
 - f. Cooking or food preparation performed inside or outside of the resident's vehicles.
 - g. Extension of electrical or water service shall be allowed from any structure to any vehicle.
 - h. Urination or defecation outside of restroom facilities provided.
 - i. Use, storing, or placing outside the registered vehicle items of personal property use unless stored within a pre-existing authorized structure on site. Tarps, chairs, tables, or any other type of furniture and/or equipment not stored in the resident's vehicle are prohibited.
 - j. When outside a vehicle, pets must be leashed at all times. Animal waste shall be picked up immediately and disposed of properly. Any dog or other animal demonstrating aggressive behavior shall be immediately removed. Residents shall maintain control of animals.
 - k. Dumping sewage or other waste fluids or solids, deposit excreta outside a vehicle, or park vehicles that leak excessive fluids (i.e., gasoline, transmission or radiator fluid, or engine oil).

- l. Persons who wish to register vehicles shall be limited to no more than one vehicle.
 - m. Noise or music in excess of the limits set forth in MVMC Chapter 9.28.
 - n. Amplified music if audible outside the registered vehicle.
 - o. Unregistered guests shall not be allowed.
15. Before allowed on the property the Encampment Host shall complete background checks consistent with MVMC 17.210.020(C)(8). The Encampment host shall exclude any individuals who have active warrants or are registered sex offenders.
 16. The Encampment Host shall provide immediate cleanup of any litter, wastewater, sewage, or waste material discharge onto or deposited upon the surface of the ground or parking area, whether as a result of leaks from plumbing fixtures, wastewater, sewage, or waste.
 17. The Encampment Host shall not charge fees, rents, or other charges to those using the limited temporary homeless encampment.
 18. The Encampment Host shall comply and enforce compliance of applicable state statutes and regulations and local ordinances concerning, but not limited to, drinking water connections, solid waste disposal, human waste, outdoor fire or burning, electrical systems, and fire-resistant material.
 19. The Director may impose additional conditions necessary to protect public health and safety so long as such conditions do not substantially burden the decisions or actions of the Encampment Host.
- C. Registering a Limited Temporary Encampment with the City. The Encampment Host, Manager, or Sponsor shall, at least a week prior to a limited temporary encampment being established, submit the following items to the City:
1. A fully-dimensioned, to-scale site plan indicating the location of trash, restroom facilities, handwashing facilities, exterior light fixtures, location and distances to residential properties, and location of designated overnight parking spaces.
 2. A copy of their written Code of Conduct.
 3. A copy of their Neighborhood Relations Plan.
 4. The identity and contact information of the on-call monitor set forth in subsection A 12.
 5. The Development Services Director may request other information if necessary to determine or ensure compliance with the provisions of this section. Upon receipt of such a request, the information shall be provided prior to the limited temporary encampment being established.
- D. Limited Temporary Homeless Encampments shall be located on a property for no more than a total of 180-days in any 12 month period unless the Encampment Host, Manager, or Sponsor demonstrates it has fully complied with the provisions of this Chapter and no previous violations occurred during the 180 day period. In the event it has been determined pursuant to section (E) below that one or more violations of this chapter have occurred, no less than 180-days must pass before a Limited Temporary Homeless Encampment can be re-established on a property

that previously hosted a Limited Temporary Homeless Encampment. Limited Temporary Homeless Encampments shall immediately cease as ordered by the Director for substantiated violations pursuant to section (E)(2), below. Limited Temporary Homeless Encampment shall re-register with the City every 180 days if the Encampment Sponsor wishes to continue locating a Limited Temporary Homeless Encampment on a property. A property may not have a Limited Temporary Homeless Encampment and Temporary Homeless Encampment at one time when such use exceeds standards set forth in MVMC 17.210.030.

This last sentence was added to this Ordinance after the Council's August 28, 2019 meeting.

E. Violation- Penalties

- 1. Any person violating or failing to comply with any of the provisions of MVMC 17.210.070 shall be subject to the enforcement provisions contained in MVMC Title 19, Code Enforcement.**
- 2. In addition to and supplemental to any enforcement action set forth in Title 19, Code Enforcement, the Director may order a limited temporary homeless encampment to cease for violation of any of the requirements of this chapter or condition imposed by the Director until such a time as the use complies with the chapter or conditions. An order of the Director is a Type II decision that may be appealed to the hearing examiner for final determination provided in Chapter 14.05 MVMC. The order of the director shall be stayed during any appeal to the hearing examiner, but the stay will be lifted if the hearing examiner upholds the order. Decisions of the hearing examiner on an order of the director may be appealed to the Skagit County superior court as provided in Chapter 36.70RCW.**

SECTION 7. Hearing To Be Held. Pursuant to RCW 36.70A.390 and/or RCW 35A.63.220, the City Council shall hold a public hearing on this interim regulation within 60 days of adoption of this interim regulations ordinance.

SECTION 8. City to Consider Permanent Regulations. The City Council hereby directs that the City Community and Economic Development Department to study the issue of temporary homeless encampments within the City and begin the process of drafting proposed permanent regulations to be considered through the City's public participation process including allowing for public input and providing for public hearings at both the Planning Commission and City Council.

SECTION 9. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 10. Savings Clause. All previous ordinances which may be repealed in part or their entirety by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

SECTION 11. Effective Date and Declaration of Emergency. The City Council hereby declares that an emergency exists necessitating that this Ordinance take effect immediately upon passage by a majority plus one of the whole membership of the Council, and that the same is not subject to a referendum. Without an immediate interim regulation on the City's acceptance of

business licenses, building applications, permits or other types of land use/development permits/approvals, such applications could become vested under regulations subject to change by the City in this comprehensive review and regulation amendment/adoption process. This Ordinance will not affect any existing rights, or any vested applications previously submitted to the City.

SECTION 12. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, this Interim Ordinance shall be transmitted to the Washington State Department of Commerce as required by law.

PASSED AND ADOPTED this 11th day of September 2019.

SIGNED AND APPROVED this ____ day of September, 2019.

Doug Volesky, Finance Director

Jill Boudreau, Mayor

Approved as to form:

Kevin Rogerson, City Attorney

Published: _____

Effective Date: _____

From: sweetpeatwo@frontier.com [mailto:sweetpeatwo@frontier.com]

Sent: Monday, September 2, 2019 11:14 AM

To: MVMayor <mvmayor@mountvernonwa.gov>; Moberg, Erin <erinm@mountvernonwa.gov>; Carias, Iris <irisc@mountvernonwa.gov>; Hulst, Mark <markh@mountvernonwa.gov>; Molenaar, Gary <Garym@mountvernonwa.gov>; milissal@mountvernonwa.gov; Hudson, Mary <maryh@mountvernonwa.gov>; Brocksmith, Richard <RichardB@mountvernonwa.gov>; Donovan, Peter <peterd@mountvernonwa.gov>; Phillips, Chris <cphillips@mountvernonwa.gov>

Subject: Homeless Parking.

Caution External Message

Ladies and Gentlemen,

I appreciate having an opportunity to add input to the Homeless Parking Ordinance. I felt like the Homeless Community had way more input into this than the Citizens of Mount Vernon had. Most of us were pretty much blind sided by this, which is why I think you got the response you did. The article in the paper was not clear about what you were trying to do. As with most of our dealings with the Seventh Day Adventist Church and their quest to help the homeless, the programs they run seem to be run by the homeless themselves, or people who do not live in Mount Vernon. Having said that there are a few concerns I would like to address.

1. Having an "on call" person in charge of their parking areas adds a burden to the neighbors, in the event all does not go well. You are leaving it up to us and the Police to deal with problems that could be solved if they had an on site monitor.

2. You have made no mention of rules pertaining to the running of cars all night long to provide heat. I don't think anyone wants to listen to 5 cars running all night. This is another reason why this Safe Parking should be in a central location away from neighborhoods.

I realize the City does not have the funding to deal with this Homeless issue, but I am kind of wondering why you don't/won't use City property for these Parking Encampment? There is a newly vacated jail that could house these people and enough space to offer them services. Maybe you could work with the County and Friendship house to use the old jail for temporary housing. You also have a number of City parking lots and parks that are not used at night. Just a thought.

After finding out the facts, I realize that this Ordinance was designed to protect the Neighborhoods where the parking areas may end up. I support your efforts and ask only that look into other ways of dealing with the Homeless issue. Its time to start talking to County officials and tax payers to help solve these issues before they get any worse.

Thank You

Dennis Pratt

4525 Edgemont Place

Mount Vernon, Wa

360-424-6712

360-708-2552

From: Ted McIlvain [mailto:tedlynn4517@gmail.com]
Sent: Saturday, August 31, 2019 5:09 PM
To: Phillips, Chris <cphillips@mountvernonwa.gov>
Subject: Parking Ordinance for the Homeless

Caution External Message

I attended the recent council meeting and regrettably did not mention a concern that I would appreciate your consideration of.

At the church here they had the winter shelter. A woman Ms. Salt ran a lot of the programs and started a day program as well.

Her words at a meeting with neighbors keep coming to mind. One of the guest she new used drugs. She felt this ok as he/she promised her they would not use them there out of respect for her. She also mentioned they are family to her. Sadly I think she believes a drug addict that says they won't use.

I would really like you to consider part of the Ordinance that the homeless cannot be checking people in for safe parking etc and that actual church members be responsible.

I know that the Welcome Home community wants to govern themselves and I'm hoping that will not work into the safe parking plan as well.

Thank you,
Teddy McIlvain
4517 Edgemont Place
Mount Vernon

From: amy gadsden [mailto:amy.e.gadsden@gmail.com]

Sent: Wednesday, September 4, 2019 8:49 PM

To: Phillips, Chris <cphillips@mountvernonwa.gov>

Subject: Homeless camping in parking lots

Caution External Message

To whom it may concern,

I was writing to add my comments to the multiple other ones about strong concerns over the camping in parking lots.

I have had two years now with the homeless cold winter emergency shelter, and although the community had some hesitations the first year, it was pushed through and seem to go okay. The second year we noticed lots of changes in the neighborhood, including trash, feces, needles, condoms, loud cars and coming and going even when it was supposedly being monitored and secured. We also had some discussions about the "welcome home co op" that seemed to be inviting more and more in. Part of my issues with the cold winter shelter also fall along with this, but this can have an even more dangerous potential and is not a solution. There are great resources in Skagit county that have not been fully utilized, and partially by the choice of these people.

The double standard for the Friendship House living (clean/sober/background checks) versus this shelter (currently using/drunk/no checks) does not seem safe. Since this can be a long term and not an emergency weather situation, it could be run like the halfway houses with regular checks in place.

At the meeting with the church, I had asked if the cold winter shelter users would be willing to be getting counseling, help to get on their feet through CCA/friendship house/ job training and the response was not well accepted. Most of these people choose to live like this and that does not make this a safe environment for the community especially when multiple churches are on school bus routes and will have no supervision.

There are great documentaries on the problems with homeless in surrounding areas that dive deep into the current problems. Those are a great place to start. Burien had a good starting plan of trying something new with addressing problems and enforcing laws. The rural environment / neighborhoods that is usually is around churches is not a suitable option for this

trial program. There are open parking spots at the jail, police department, courthouse that would be better patrolled and not adjoining house or yards.

With the current issues already had this winter at the cold winter shelter, it is unreasonable to believe with less structure and observation it will be safe.

Please do not approve these kind of camps in residential areas.

Thanks

Amy Gadsden

From: [clive boulton](#)
To: [Lowell, Rebecca](#)
Cc: [Phillips, Chris](#)
Subject: Re: Safe Parking Ordinance
Date: Monday, August 26, 2019 3:03:43 PM

Caution External Message

Ms Bradley-Lowell, Thank you very much for sharing. The Proposed Ordinance for Council's consideration handles most of the specific issues on my mind.

We attended a community meeting at the Seventh Day Adventist Church. Trust had broken down and issues had compounded after the Church had moved away from following the ordinance for the cold weather shelter run in conjunction with FriendShip House and gone rogue beginning with the emergency shelter. Thus the orderly cold weather shelter had flowed into the emergency shelter and into safe parking and into RV parking. In no particular order. Medical waste, sharp objects and other kid unfriendly waste and contraband had been deposited but was picked up by resident walking a dog on a regular basis. Another dog walker had her dog attacked by two aggressive unleashed bigger dogs, belonging to a daytime visiting homeless community member, requiring expensive veterinary care. There was shouting and yelling and no way to contact the Church host locally, beyond calling the police, which did not seem to fit. Very welcome that the proposed ordinance specifies someone responsible from the Church should be available within 30 minutes.

A couple of remaining issues, particularly pertinent after one or more councillors on TV10 meeting raised the issue of the safe parking ordinance continuing beyond 180 days.

- Will there be any limit on extending the safe parking once permitted, thus safe parking at the same location could be extended in perpetuity?
- Is a combination of ordinances allowed. i.e permits for Cold Weather Shelter and Safe Parking can run concurrently or one-after-another in perpetuity?
- Does the ordinance as proposed allow two adjacent Churches to tag team safe parking so that 10 cars, 24 people within 600 feet is the result?
- Does the ordinance as proposed allow two adjacent Churches to tag team safe parking and cold weather shelter within 600 feet?

Thank you for consideration.

-Clive Boulton.

Mt Vernon, WA.

----- Original message -----

From: Karina O'Malley <kcfom@hotmail.com>

Date: 8/28/19 3:41 PM (GMT-08:00)

To: MVMayor <mvmayor@mountvernonwa.gov>, "Moberg, Erin"

<erinm@mountvernonwa.gov>, "Hulst, Mark" <markh@mountvernonwa.gov>, "Molenaar, Gary" <Garym@mountvernonwa.gov>, "Carias, Iris" <irisc@mountvernonwa.gov>, "Beaton, Melissa" <MelissaB@mountvernonwa.gov>, "Hudson, Mary" <maryh@mountvernonwa.gov>

Subject: about the Ordinance that declares an emergency and adopts interim regulations to allow limited temporary homeless encampments.

Caution External Message

I have been running a Safe Parking program for 8 years in Kirkland WA and have helped many other faith communities start their own programs, across the country. I wanted to weigh in on your proposed ordinance creating guidelines for such programs in Mt Vernon.

First, thank you so much for recognizing the emergency and the need for remedies. Thank you for wanting to encourage creative solutions that partner city, private, and faith resources.

Safe Parking is typically a low cost, easy-to-implement strategy that taps existing resources, improves safety and neighborhood life, and creates great outcomes for housed and unhoused folks in your community.

The good news is that there is no need for additional ordinances to facilitate these programs.

This is a protected use for faith communities under the federal Religious Land Use and Institutionalized Persons Act, and the only city responsibility is to respond to health or safety concerns.

The ordinance as I have seen it written has imposed substantial burdens on any faith community wanting to try this approach, and most without any health or safety reasons. It is crucial to the success of these programs that they do not require more resources than the faith community can comfortably provide, and that they can adapt the particulars of what is offered to both the people living in vehicles and the faith community members, along with neighbors. Hours of operation, who is included, how they are screened, what access guests have to the building or other resources, how many people are in the program, all are best decided by the faith community. I have seen great programs that welcome 5 cars, and other great programs that welcome 50 cars. I have seen great programs for families, or for just adults, or for women and families, or other combos. I have seen great programs that start late and end early, and some that are 24/7.

I would be happy to talk to any of you further as you work on this important resource for your community.

Karina O'Malley
Lake Washington United Methodist Church
Safe Parking Coordinator
425 922 8051

Chris Phillips, Director of Development Services
City of Mount Vernon
910 Cleveland Ave
Mt Vernon, WA 98273
cphillips@mountvernonwa.gov

Dear Chris Phillips:

We are writing to express our strong support for the ordinance allowing for safe parking for those experiencing homelessness in Mount Vernon. We have several suggestions related to the draft language of the emergency ordinance.

The first relates to its prohibition related to minors. Many who are likely in need of safe parking areas are trying to keep their families together. It seems appropriate to allow children accompanied by family members or guardians to be present and included in the plans and numbers for the participating site locations. It also seems appropriate that emancipated minors 16 years and older have access.

The second concern relates to section limiting vehicles on site to only between 6:00 pm and 8:00 am daily (page 10; number 10). We would suggest that you replace the entire section with just this wording "Operations of the limited encampment site is from 6:00 pm until 9:00 am daily." There may be needs for registered guests to park during the day in other church locations to attend church functions, interact with church program volunteers for services provided within the site plan, or to attend necessary appointments. We believe that each church should retain control to exercise its discretion, as outlined in the site plan, related to parking during the day. It could be, for example, that the designated temporary safe parking spots need be vacated, but other parking areas of the church remain at the churches discretion, as is the case during business hours.

Our third major concern relates to identifying and vetting program guests. We feel it is a strain on church volunteer resources to identify, vet, and provide background checks for potential guests. More importantly, safe parking areas are just one component of comprehensive programs for providing services and transitioning people to housing. We feel the program would work best if partnered with one of the homeless coordinating agencies in the county, for example, Community Action, who could then refer identified and vetted participants to the church locations.

The fourth suggestion relates to requirement that a project manager volunteer be present daily at 6:00 pm to check guests in and confirm presence of vehicles in safe parking area. Many of the church congregations who may be interested have a limited number of members. To have someone present at a prescribed time 180 days per year (or daily) would be an extremely taxing requirement of limited capabilities (also keeping in mind that many of these congregations are also involved in other community support activities, including other activities for the homeless). We would suggest that the host church programs are required to register each guest at check-in, review the code of conduct, and provide a parking placard for vehicle. Once guests are registered, it is unclear what benefit a 6:00pm or 7:00 pm check provides over any other time. While host churches likely would provide evening checks and contacts with guests more nights than not, we feel the requirement to do so daily, for guests already registered and placarded, is beyond the need and more importantly likely to strain the volunteer resources.

Our last significant concern relates to the use, storing and the placing outside of personal property, as stated on page 11, 14i. We understand the need for good housekeeping and to not have permanent shelters or accumulation of items that are not within approved storage areas on site. It would seem reasonable to us, however, for churches to have discretion within their site plans to allow temporary uses of folding chairs during evening hours, or to allow temporary use of areas adjacent to vehicles for guests to re-organize and re-pack belongings.

Additional comments, by page number are:

Page 7, number 4; we do not see the need for six foot sight obscuring fence around perimeter of property. The site plan will address visibility of location.

Page 7, number 9 prohibits animals other than service animals. Pets should be permitted and pet guidelines will be addressed in code of conduct.

Page 12, Section D: Discusses no new permits or 180 day waiting period for renewal if one or more violations have occurred. Given the fairly broad range of what constitutes a violation, it would seem more appropriate for renewal at discretion of the Director after review of number and nature of any violations.

Sincerely,

Terry Hall, Pastor, Mount Vernon First United Methodist Church (MVFUMC)
Ellen Anderson, congregant MVFUMC
Kent Turner, congregant MVFUMC

CC:

The Honorable Jill Boudreau, Mayor of Mount Vernon
Mount Vernon City Council members:
Erin Moberg
Iris Carias
Mark Hulst
Gary Molenaar
Melissa Beaton
Mary Hudson
Richard Brocksmith

mvmayor@mountvernonwa.gov

erinm@mountvernonwa.gov

irisc@mountvernonwa.gov

markh@mountvernonwa.gov

garym@mountvernonwa.gov

melissab@mountvernonwa.gov

maryh@mountvernonwa.gov

richardb@mountvernonwa.gov

From: [Brocksmith, Richard](#)
To: [Lowell, Rebecca](#)
Subject: FW: input needed on safe parking ordinance
Date: Wednesday, August 28, 2019 5:54:27 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

For the record

From: Rachel Handy <rachelh@nwys.org>
Sent: Tuesday, August 20, 2019 2:59 PM
To: Brocksmith, Richard <RichardB@mountvernonwa.gov>
Subject: RE: input needed on safe parking ordinance

Caution External Message

Hi Richard, thank you for your advocacy in this matter! I would echo your concern about the 18 and over rule. They may be concerned about unaccompanied minors and if so, I'd agree there are some special consideration that would make me concerned about unaccompanied minors "enrolled" so to speak in this type of program. Emancipated 16 and 17 year olds, or accompanied children with their guardians should be allowed. There is one service gap that is common in most of WA state and that is options for parenting minors. If a young parent under the age of 18 were legally emancipated, I think this could be one way to provide a safe option for them. No other shelter in the area provides options for parenting minors other than the Cocoon House in Snohomish. It's a huge service gap that we might want to consider this being an option for them. You might consult Chandler and Justin from Oasis on any special considerations for unaccompanied minors.

On the topic of individuals with prior sex offenses, I would consider this being *allowed* by the City but determined per site. For example, if a site says no minors and is in an area where there are no schools, I don't know the reason why a prior sex offense would be a reason to screen someone out. There are also different levels of sex offenses, in which more "minor" offenses come with fewer DOC restrictions. There are some levels in which DOC restrictions prohibit a person from being within a certain distance of residential homes, schools, day cares, etc. I think it is easy to lump all folks with sex offenses into a "sex offender" category in which they are screened out from all forms of help. I would like to challenge that thought process as not all people with offenses pose a threat to the community. Unfortunately we've seen this a bit with 18 year olds who were charged with minor sex offenses due to dating someone younger. Legal parameters change when someone turns 18 which they are often uneducated about. This seems like one service/option that should be available for those with offenses that would not pose a threat to others in the area.

I wanted to also suggest that prohibiting cooking/food prep might be difficult to enforce. Participants are going to prepare and eat food, as it is a basic need, so the definition of what is prohibited might need to be explored. For example, cooking food might not be allowed however the possession of food is okay. I worry about rules that limit basic needs being met.

As well, I think it might be good to clarify if tarps and furniture are *prohibited* entirely on-site. I understand the use of these things being discouraged but they also seem like typical belongings, even if not used on-site. I think of someone living in a van and having a bed...is that prohibited furniture? Or if someone has a chair to sit in outside of their car, if that would also be prohibited...just thoughts! I'd lean on the side of allowing basic human needs and belongings to help humanize their experience.

Please let me know if you have any more thoughts or questions!

Rachel Handy
She/Her/Hers pronouns
Skagit Programs Manager



Northwest Youth Services
2021 E. College Way #216
Mount Vernon, WA 98273
Phone (360) 336-1988
Fax (360) 755-3671
www.NWYS.org

PAD 24-Hour Hotline (360) 393-0116



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copies of the original message

From: Brocksmith, Richard <RichardB@mountvernonwa.gov>

Sent: Tuesday, August 20, 2019 12:26 AM

To: cgagne@skagitymca.org; katies@communityactionskagit.org; Rachel Handy <rachelh@nwys.org>; sarahh@co.skagit.wa.us; Curtis Steinhauer <ccsteinhauer@gmail.com>; tina@skagitfriendshiphouse.org; Arlene Salt <sprinkleofsalt@yahoo.com>; lizj@communityactionskagit.org

Cc: Joan Penney <JoanP@communityactionskagit.org>; gwmount@hotmail.com; Carias, Iris <irisc@mountvernonwa.gov>

Subject: input needed on safe parking ordinance

Dear service providers,

I'm seeking comments on Mount Vernon's draft Safe Parking ordinance, which could be heard as an emergency ordinance as early as Wednesday, August 28th. One benefit of an emergency ordinance is it could be amended fairly easily as we learn more about the issues in the coming months (i.e. it doesn't have to be perfect, just useable!). However, if you have input on the draft, we can bring that to the discussion next week.

The slide below came from staff's briefing a couple of weeks ago. I don't have additional details at this time. Our conversation that night was captured in the SVH article https://www.goskagit.com/news/local_news/mount-vernon-city-council-prepares-to-vote-on-homeless-parking/article_b6828cc1-af16-5b09-b092-2a690f4f1022.html

Could you consider commenting on any red flags you see in the bullet points and the SVH article? I am particularly concerned about the 18 years and older requirement, since it is my understanding that it would be an unnecessary barrier for families and traumatic to separate loved ones, particularly dependents. If we had unlimited access to family shelters, we might not need this emergency safe parking, but I understand that isn't the case, or it at least takes time to find services for families and youth. I'd prefer the emergency ordinance allow 16 years and older, plus any accompanied minors.

Thanks for your time, and please feel free to share with other providers who have insights into these strategies. Also, please know that I'm meeting separately with local church leaders on Monday to gather their input.

Richard

360 826-2094

SAFE PARKING (Limited Temporary Homeless Encampments)

"Limited Temporary Homeless Encampment" means a program registered with the City allowing no more than five vehicles, housing not more than a total of 12 individuals, to park in designated areas providing overnight shelter.

City is notified, no permit required. DS will notify police/fire of sites in operation

Requirements:

- Located on property owned/leased by religious organization
- On existing hardscaped parking lot
- Must be parked next to each other and (to the extent possible) not visible from surrounding public roads
- Must have outdoor restrooms, hand washing station and trash facilities
- Allowed between 7 PM and 8 AM only
- 18 and older only
- Host to create Neighborhood Relations Plan and Monitoring and Oversight Program
- Max. of 180-days in 12 month period
- No illegal drugs, alcohol, weapons, sex offenders, those with active warrants, fires, cooking/food prep., tarps, any type of furniture (tables, chairs, etc)

From: [Richard Brocksmith](#)
To: [Lowell, Rebecca: Brocksmith, Richard](#)
Subject: Fwd: FW: input needed on safe parking ordinance
Date: Wednesday, August 28, 2019 5:52:28 PM
Attachments: [image001.png](#)
[image001.png](#)

Caution External Message

For the record

----- Forwarded message -----

From: **Katie Stephens** <KatieS@communityactionskagit.org>
Date: Wed, Aug 21, 2019, 3:59 PM
Subject: FW: input needed on safe parking ordinance
To: Richard Brocksmith <rbrocksmith@gmail.com>

Hi Richard!

Thanks for seeking out input. I'm forwarding comments from Jen Milton, our Housing Resource Center Manager (and Coordinated Entry Lead) in the email below.

I'll add to her comments, that the limit on number of people who can benefit from each safe parking (or temporary encampment) seems odd as well. It would make sense in my mind to articulate that the number of persons utilizing a safe parking lot at a time must align with the parking lot's capacity and neighborhood relations plan. Utilizers of the encampment should honor existing parking lot boundaries and stall markings – fire lanes may not be blocked and proper parking requirements followed (ie. Number of feet from intersection, distance from fire hydrants, etc.). If a church with a large parking lot wants to host 30 vehicles, and their parking lot can safely do that and the surrounding neighborhood is ok with that, why put a restriction in to block that?

There could be a more positive impact of this enactment if the rules could be extended beyond religious organizations only. If a nonprofit or for-profit business wanted to open their parking lot as well, why would the City want to block that? What I have heard from City conversations around homelessness is a hope that more community members and private businesses will step forward to be a part of the solution, and not rely entirely on the government. The government should do everything it can to encourage participation of all community members and private businesses to be part of the solution by not imposing restrictions that will exclude or limit their participation.

The wording around restroom access and hours of use seem too overreaching. I would amend the wording around outdoor restrooms to read "must have access to restrooms and hand washing amenities" etc.

I don't think it's the place of the City to put specific hours of use – the hours of use should be identified in the neighborhood relations plan.

To support the successful implementation of this program, I would also suggest that the City recommend resources for neighborhoods, or Hosts, to create their Neighborhood Relations Plans. This can be a very difficult task without guidance from individuals experienced with conflict mediation, program development and/or planning work. It would be worthwhile to find out if any community partners, including the Skagit Dispute Resolution Center, may be able to offer assistance to Hosts hoping to create their Neighborhood Relations Plans.

Thanks again for seeking out input. We will look forward to hearing the outcomes of this!

Katie Stephens, MSW

Housing Program Manager

Community Action of Skagit County

katies@communityactionskagit.org

(360) 588-5732

With the new day comes new strength and new thoughts. – E. Roosevelt

From: Jen Milton
Sent: Wednesday, August 21, 2019 10:08 AM
To: Katie Stephens
Subject: RE: input needed on safe parking ordinance

I think my only concerns are:

18+ - I agree with Richard that this adds a barrier for families. I could understand HOH must be 18+ - unaccompanied minors can stay at Oasis and so far as I know they don't run into the same capacity issues (generally) as our adult shelters. However, I wouldn't want to require teens to leave their parents and go stay at Oasis. That should be a family decision. I would support accompanied minors being allowed. Otherwise it does nothing for families with children.

Food prep – this could get sticky. I understand the no cooking rule (for fire safety)... but no food prep... that could be interpreted to mean no making sandwiches, etc. Seems excessive – a person's gotta eat. This becomes more problematic if families with children are allowed, since as a parent you're pretty much always feeding a kid. ☺

Lastly, I am curious why it has to be on property owned by a religious organization. I'm guessing it has something to do with some other ordinance. But it seems like if a business or private person had property and wanted to use it for this, it should be allowed.


Otherwise, I think this is great – so glad to see something in the works!

Jen Milton

Community Action of Skagit County

Housing Resource Center Manager

360-416-7585 x1254

 **Think Green!** Please do not print this e-mail unless it is completely necessary.

From: Katie Stephens
Sent: Tuesday, August 20, 2019 9:12 AM
To: Jen Milton
Subject: FW: input needed on safe parking ordinance

Would you also like to provide some input on this?

-Katie

From: Brocksmith, Richard [mailto:RichardB@mountvernonwa.gov]
Sent: Tuesday, August 20, 2019 12:26 AM
To: cgagne@skagitymca.org; Katie Stephens; rachelh@nwys.org; sarahh@co.skagit.wa.us; Curtis Steinhauer; tina@skagitfriendshiphouse.org; Arlene Salt; Liz Jennings
Cc: Joan Penney; gwmount@hotmail.com; Carias, Iris
Subject: input needed on safe parking ordinance

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Richard

360 826-2094

